

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

OJI WILLIAMS,

Movant,

v.

Case No. 2:22-cv-00530

Case No. 2:21-cr-00025-1

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION AND ORDER

Pending before the court is the Proposed Findings and Recommendation ("PF&R") of United States Magistrate Judge Dwane L. Tinsley, entered on January 28, 2025. ECF No. 134.

The Magistrate Judge recommends denying movant's motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255, (ECF No. 88), and his supplemental motion, (ECF No. 103). See ECF No. 134 at 23. Judge Tinsley further recommends that the court dismiss the accompanying civil action from its docket. Id.

In reviewing a PF&R, the court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Upon the filing of an objection to a PF&R, the court "shall make a de

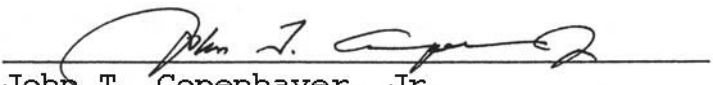
novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Id. Failure to object to a PF&R constitutes waiver of de novo review, in which case the court reviews the PF&R for clear error. See Fed. R. Civ. P. 73 Advisory Committee notes.

There being no objections to the PF&R, which were due by February 14, 2025, and after review for clear error and finding none, it is ORDERED that the PF&R be, and it hereby is, adopted by the court and incorporated herein. It is, therefore, ORDERED as follows:

1. The movant's motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255, ECF No. 88, is DENIED,
2. The movant's supplemental motion, ECF No. 103, is DENIED,
3. This matter shall be, and it hereby is, dismissed from the active docket of the court.

The Clerk is directed to transmit copies of this order to any unrepresented parties, all counsel of record, and the United States Magistrate Judge.

ENTER: February 28, 2025


John T. Copenhaver, Jr.
Senior United States District Judge